

Consolidated City of Indianapolis and Marion County
Public Records Request Form

Date: 2/24/2014

To: Troy Riggs, Director

From*: Fred Biesecker

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T241

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Agency/Agencies which maintain(s) the requested record(s):
Department of Public Safety

Requested record(s): (Please be sure to describe the records sought with enough detail for the agency to identify the records you seek.)

All documents identified on the
attached Schedule A

A copying fee of \$0.04 per page will be charged for each page copied. Additional charges may apply for records provided in a non-paper format. If you wish to have copies mailed, additional reimbursement for mailing costs may apply.

If you wish to be informed of the number of pages before copying fees are incurred, check this box. ☐

* Please note that while it is not necessary to provide a name and address to obtain public records, it will assist us in contacting you to inform you when your records will be available.

SCHEDULE A

DEFINITIONS

"Document" includes electronically stored information and has the meaning set forth in Indiana Trial Rule 34(A)(1).

"ROC" means the Regional Operations Center located on the site of the former Eastgate Consumer Mall on North Shadeland Avenue

"DPS" means the City of Indianapolis Department of Public Safety.

"IMPD" means the Indianapolis Metropolitan Police Department

"IFD" means the Indianapolis Fire Department

"Development Agreement" means the Agreement between DPS, 401-Public Safety, LLC and Lifeline Construction Services, LLC, signed on March 18, 2011.

"Lease" means the Lease Agreement between DPS and 401-Public Safety, LLC dated as of May 20, 2011.

"Council" means the Indianapolis/Marion County City-County Council.

"DCE" means the Department of Code Enforcement

"OCC" means the Office of Corporation Counsel

"City" means the Consolidated City of Indianapolis and Marion County

"DLZ" means DLZ Indiana, LLC

"Carroll" means Alex Carroll and his representatives, designees and agents.

"Carroll's affiliated entities" include 401-Public Safety, LLC, Lifeline Construction Services, LLC, Lifeline Data Centers, LLC, Live Wire Technologies, LLC, Lifeline Land Ventures, LLC, Lifeline Communications, LLC, Lifeline Communications, Inc., and any other entities in which Carroll directly or indirectly holds a substantial ownership or management interest.

Unless otherwise indicated, the time period covered by the subpoena is January 1, 2010, to the present.

DOCUMENTS REQUESTED

1. Building permits issued by DCE for the ROC project, including those identified as STR11-02900, HTG11-07439, PLM 11-01904, and ELE11-03589, and all amendments and supplements thereto.
2. All amendments and supplements to the set of plans submitted to DCE on July 29, 2011.
3. The set of plans dated October 27, 2011, which was provided to DLZ and discussed in the DLZ report.
4. Violations issued by IFD on October 12, 2012.
5. The list of seven requirements for continued occupation of the leased premises provided by DCE to Alex Carroll in October 2012.
6. Testing, inspection and maintenance records of the sprinkler and fire alarm systems (per NFPA 25 and 72).
7. The following documents, which are identified as "Operative Agreements" in the Mortgage, Security Agreement, Assignment of Leases and Rents and Fixture Filing Statement, dated as of June 23, 2011, and recorded as instrument number A201100056539:

- The Note Purchase Agreement, dated as of June 23, 2011, and the amortization schedule attached thereto
 - The Indemnity and Guaranty Agreement
 - The Escrow and Servicing Agreement
 - The Construction Escrow Agreement
 - The Assignment of Contracts
 - The Construction Completion Guaranty
 - The Hazardous Material Indemnity Agreement
 - The 5.01% Senior Secured Note, due December 15, 2037; and
 - The SNDA Agreement
8. Fire and life safety drawing or code summary sheet, per 675 IAC 12-6-7(g)(4).
 9. IFD inspection reports and checklists.
 10. Inspection reports by Bruce Baun, Robert Zickler, or any other project manager/contract manager/consultant retained by DPS.
 11. The contract or contracts with Hoffman Engineers, P.C.
 12. Any certificates of completion and/or code compliance submitted to any federal or state agency.
 13. All other credit tenant leases entered into by DPS since January 2010.
 14. Communications between DPS and Channel 16 relating to the direction given by DPS in 2010 not to record Board of Public Safety meetings on video, and the reinstatement of video in 2012.
 15. Detailed project budgets for the project as presented to the Council committee on April 26, 2011, with total estimated project costs of \$8,643,000, and any subsequent amendments or supplements thereto.
 16. The DPS proposal prepared before Frank Straub's arrival to house the emergency operations center at the old Indianapolis airport.
 17. Documents relating to the "preferential square footage rate" for moving the IMPD East District to School # 78, as discussed at the May 16, 2011 Council meeting.
 18. The memorandum circulated by Ryan Vaughn at the May 16, 2011 Council meeting.
 19. The contract between 401-Public Safety, LLC and DPS, for the amount of \$25,064,380.80, as listed on the agenda of the April 21, 2011 Board of Public Safety meeting.
 20. The contract with the NFL that required the city to have an emergency operations center in time for the 2012 Super Bowl.
 21. The maintenance agreement referred to in paragraph 20 of the December 2013 settlement agreement.
 22. Exhibits A, C, D, E and F to the Development Agreement.
 23. Drafts of the Development Agreement, and related correspondence.
 24. Drafts of the Lease, and related correspondence.
 25. Documents sufficient to show how much money was actually spent on the ROC build-out.
 26. Complete DCE files for all Notices of Violation and Stop Work Orders.
 27. Links to two SharePoint sites established by or for Valerie Washington (these links were provided by DPS to OCC but neither has produced them).

28. Communications between Gary Coons and the NFL relating to the emergency operations center (these documents were provided by DPS to OCC but neither has produced them).
29. Eastgate project status report issued by Robert Zickler (this was provided by DPS to OCC but neither has produced it).
30. Copy of punch list provided by Alex Carroll (this was provided by DPS to OCC but neither has produced it).
31. E-mails to or from Frank Straub, or on which Straub was copied, relating to the ROC, for the period from April 12, 2011 through April 26, 2011.
32. E-mails to or from Jonathan Mayes, or on which Mayes was copied, relating to the ROC, for the period from April 12, 2011 through April 26, 2011.
33. E-mails to or from Tom Michalak, or on which Michalak was copied, relating to the ROC, for the period from April 12, 2011 through April 26, 2011.
34. Documents explaining and showing the detailed components of the \$3,627,400 in construction "hard costs" and \$3,300,000 in "land costs" identified in the materials provided to the Council committee on April 26, 2011.
35. Documents sufficient to show the disbursement and use of the \$9,616,000 proceeds of the June 23, 2011 loan to 401-Public Safety, LLC.
36. Communications between the City and Carroll and/or Carroll's affiliated entities, for the period from March 18, 2011 through June 23, 2011.
37. Documents evidencing or relating to how DPS proposed to pay for the lease.
38. Documents sufficient to show how much money the City has actually spent so far in connection with the ROC, including but not limited to lease payments, utility and maintenance payments, costs of improvements and repairs, machinery and equipment, furniture and fixtures, contracts (consultants, project managers, outside counsel, financial advisers, etc.), moving costs, fire watch costs, and other goods and services.
39. Any independent appraisals of the leased premises.
40. Documents comparing the cost of the leased premises with the cost of other alternative locations considered by DPS for the emergency operations center or the location of the IMPD East District.
41. Audit reports, internal or external, relating to the City's expenditures on the ROC.
42. Notices published by the Board of Public Safety in connection with the ROC Lease, as required by IC 36-1-10-13.